

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Michael Miskovski	Team: Squad #3	CCRB Case #: 201906546	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Friday, 07/19/2019 7:30 AM	Location of Incident: Atlantic Avenue and 4th Avenue (Barclays Center Subway Station: B, D, N, R, 2,3,4,5)	Precinct: 84	18 Mo. SOL 1/19/2021	EO SOL 9/5/2021	
Date/Time CV Reported Fri, 07/26/2019 9:05 AM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Fri, 07/26/2019 9:05 AM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POF Taraya Norfleet	22780	962639	084 PCT
2. DTS Byran Pitts	00245	927362	084 PCT
3. POM Charles Lancellotti	18071	945898	084 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Matthew Cangiano	01332	947995	084 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POF Taraya Norfleet	Abuse: Police Officer Taraya Norfleet took a recording of an individual.	
B.POF Taraya Norfleet	Abuse: Police Officer Taraya Norfleet refused to provide her shield number to an individual.	
C.POF Taraya Norfleet	Abuse: Police Officer Taraya Norfleet failed to provide an individual with a business card.	
D.POM Charles Lancellotti	Abuse: Police Officer Charles Lancellotti refused to provide his name to an individual.	
E.POM Charles Lancellotti	Abuse: Police Officer Charles Lancellotti refused to provide his shield number to an individual.	
F.DTS Byran Pitts	Abuse: Detective Byran Pitts failed to provide an individual with a business card.	

Case Summary

An unidentified male individual filed this complaint with the CCRB via the website on July 26, 2019. The individual included a link to his YouTube video, “§ 87(2)(b)”, showing the uninterrupted cell footage of the incident recorded by him and uploaded on July 25, 2019. Both in the complaint form and the caption to the video, the individual identifies himself as the one who took the cell phone footage and the victim of the allegations. The video is titled “§ 87(2)(b)”. It had approximately 300 views and did not receive any media attention.

The individual did not provide any contact information for himself apart from an email. A CTS search revealed another complaint filed by the same individual in 2018, where he provided his phone number and a link to another YouTube video also titled “§ 87(2)(b)”. However, the CCRB was unable to speak to him as the phone number and email were inactive.

§ 87(2)(g)

On July 19, 2019, at approximately 7:30 a.m., at the Atlantic Avenue and 4th Avenue Subway Station in Brooklyn for train lines B, D, N, R, 2, 3, 4, 5, the individual recorded PO Taraya Norfleet and PO Charles Lancelotti, both of the 84th Precinct. PO Norfleet allegedly recorded the individual on her cell phone (unknown if personal or department issued) (**Allegation A: Abuse of Authority, § 87(2)(g)**). PO Norfleet approached the individual and asked if he needed assistance. The individual then asked for PO Norfleet’s name, shield, and command. PO Norfleet told the individual to go on his way. The individual continued to ask PO Norfleet for her information and also for a business card. PO Norfleet gave the individual her name and command, but omitted her shield number and did not provide a business card (**Allegations B and C: Abuse of Authority, § 87(2)(g)**). PO Lancelotti told the individual to back away, and was asked by the individual for his name and shield number. PO Lancelotti refused to give them verbally when told by the individual that he could not read the badge on his uniform (**Allegations D and E: Abuse of Authority, § 87(2)(g)**). PO Norfleet called for backup to the station, and several officers, including Det. Bryan Pitts of the 84th precinct, arrived. The individual asked Det. Pitts for his identifying information and a business card. Det. Pitts provided his information, but refused to provide his business card (**Allegation F: Abuse of Authority, § 87(2)(g)**). The individual left the station and was not arrested nor issued any summonses.

There is Youtube footage of the entire incident (**01 Board Review**) There is body-worn camera (BWC) footage from PO Norfleet, PO Lancelotti, PO Junxian Wu, PO Matthew Cangiano, PO Stephen Barnes, and Det. Pitts (**02-09 Board Review**).

Findings and Recommendations

Allegation (A) Abuse of Authority: Police Officer Taraya Norfleet took a recording of

§ 87(2)(b)

It is undisputed that PO Norfleet raised her cellphone to her face and was turned toward the individual. Cell phone video footage recording contained within IA #26 shows that this action starts at 3:20. (**01 Board Review**).

In her interview at the CCRB, PO Norfleet denied that she was recording the individual (**10**

Board Review). PO Norfleet was unsure if the phone was her personal cell phone or the department issued. She noted that if it was the department phone, she could have been checking for updates. She also stated that she was not sure what she was doing with her phone at the time.

§ 87(2)(g)

Allegation (B) Abuse of Authority: Police Officer Taraya Norfleet refused to provide her shield number to § 87(2)(b)

Allegation (C) Abuse of Authority: Police Officer Taraya Norfleet failed to provide § 87(2)(b) with a business card.

Allegation (D) Abuse of Authority: Police Officer Charles Lancelotti refused to provide his name to § 87(2)(b).

Allegation (E) Abuse of Authority: Police Officer Charles Lancelotti refused to provide his shield number to § 87(2)(b)

Allegation (F) Abuse of Authority: Detective Bryan Pitts failed to provide § 87(2)(b) with a business card.

It is undisputed that the individual asked PO Norfleet for her name, shield, and a business card, PO Lancelotti for his name and shield, and Det. Pitts for a business card. It is undisputed that each of these requests for information was refused to the individual, except for PO Norfleet's name.

According to the cell phone video recorded by the individual located in IA #26, from 12:00 to 12:13, the individual asks PO Norfleet for her name, shield, command, and a business card. At 12:22, PO Norfleet provides her name and command, but does not give her shield number or a business card. At 16:26, the individual asks PO Lancelotti for his name, shield and command, but PO Lancelotti never provides it to the individual aside from pointing to his badge. The individual states that he is not comfortable with coming closer to PO Lancelotti because he does not want to be killed. At 24:34, the individual asks Det. Pitts for his name, shield and command, and Det. Pitts provides the information. An unidentified officer steps in and mentions knowing of the individual's reputation and unpromptedly provides his business card. At 24:48, the individual asks Det. Pitts for his business card, but Det. Pitts refuses, stating that he already told the individual his information and that the individual already has the business card of another officer at the scene. At 24:53, the individual states again, "I want *your* business card," but Det. Pitts states that the individual has Det. Pitts' information (**01 Board Review**). BWC footage corroborates the events depicted in the cell phone video (**02-09 Board Review**).

PO Norfleet and PO Lancelotti stated that they knew they were required to provide their information and business cards when civilians request it (**11 and 12 Board Review**). They both noted that there were no active investigations nor emergencies underway when the individual made his requests. Det. Pitts stated that business cards do not have to be provided if it is only requested by a civilian (**13 Board Review**).

NYPD Patrol Guide Procedure 203-09 states that officers must, "courteously and clearly state [their] rank, name, shield number, and command, or otherwise provide them, to anyone who requests you to do so," (**14 Board Review**). According to the New York City Administrative Code 14-174, officers must, "offer a business card to any person requesting identifying information," (**16 Board Review**).

§ 87(2)(g)

Civilian and Officer CCRB Histories

- § 87(2)(g) [REDACTED]
- PO Norfleet has been a member of service for three years and this is the first CCRB complaint to which she has been a subject.
- PO Lancelotti has been a member of service for 12 years and this is the first CCRB complaint to which he has been a subject.
- Det. Pitts has been a member of service for 19 years and has been a subject in eleven other complaints, containing three substantiated allegations.
 - Case 201112729 involved a substantiated allegation of a frisk, search of person, and a stop against Det. Pitts. The Board recommended instructions and the NYPD imposed the same penalty.
 - § 87(2)(g) [REDACTED]

Mediation, Civil and Criminal Histories

- This complaint was not suitable for mediation.
- As the complainant remained anonymous, a Notice of Claim was not requested.
- As the complainant remained anonymous, the investigation is unable to search for any history of convictions in New York City from the Office of Court Administration.

Squad No.: _____

Investigator: _____
Signature Print Title & Name Date

Squad Leader: _____
Signature Print Title & Name Date

Reviewer: _____
Signature Print Title & Name Date